

36-1567



03/17/91 22:14 02

Nixon & Vanderhye P.C. (10/99)  
(Domestic Non-Assigned/Foreign) Page 1

**RULE 63 (37 C.F.R. 1.63)**  
**INVENTORS DECLARATION FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**OPTICAL COMMUNICATIONS SYSTEM AND METHOD OF PROTECTING AN OPTICAL ROUTE**

the specification of which (check applicable box(es)):

☐ is attached hereto

☒ was filed on 14 March 2001

as U.S. Application Serial No.

(Atty Dkt. No. 36-1567)

☐ was filed as PCT International application No.

and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_ on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number  
00302423.9

Country  
Europe

Day/Month/Year Filed  
24 March 2000

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number

Date/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT International applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s):  
Application Serial No.

Day/Month/Year Filed

**RECEIVED**

FEB 04 2002

Status: patented  
pending, abandoned

**OFFICE OF PETITIONS**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8<sup>th</sup> Floor, Arlington, VA 22201-4714, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Basha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27383; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Joffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 28366; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; Robert A. Molan, 29834; B. J. Sadoff, 36863; James D. Berquist, 34778; Updeep S. Gill, 37334; Michael J. Shea, 34725; Donald L. Jackson, 41090; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rhoads, 37515; Raymond Y. Mah, 41426; Chris Comuntzis, 31097. I also authorize Nixon & Vanderhye to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

1. Inventor's Signature:  
Inventor:

Richard  
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MI

WYATT  
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IP4 6AE

FOR ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.

36-1587

Serial No.

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(Domestic Non-Assigned/Foreign)  
Page 2

3. Inventor's Signature:  
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H4T 1N1

Case No.: 36-1567

**ASSIGNMENT OF U.S. PATENT APPLICATION**

(Inventors) Richard WYATT  
Robert M. PERCIVAL  
Raman KASHYAP

**COPY**

(Assignee) In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign, and hereby does assign, transfer and set over to  
BRITISH TELECOMMUNICATIONS a public limited company, a corporation of Great Britain

(Address) 81 Newgate Street, London, England EC1A 7AJ

(Title) (hereinafter designated as the Assignee) the undersigned's entire right, title and interest for the United States, its territories, dependencies and possessions in the invention, and all applications for patent and any Letters Patent which may be granted therefore, known as  
OPTICAL COMMUNICATIONS SYSTEM AND METHOD OF PROTECTING AN OPTICAL ROUTE

for which the undersigned has (have) executed on even date herewith an application for patent in the United States of America or, if not on even date, then has executed on \_\_\_\_\_ or has already filed U.S. appln. Serial No. \_\_\_\_\_ on \_\_\_\_\_

The undersigned acknowledges an obligation of assignment of this invention to said assignee at the time the invention was made.

The undersigned agree(s) to execute all papers and documents necessary in connection with the application or any interference which may be declared and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient and further to perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patent of the United States resulting from said application or any division or divisions or continuing applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the firm of NIXON & VANDERHYE P.C. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document. It is understood and agreed that ASSIGNEE'S attorneys Nixon & Vanderhye P.C. have represented only ASSIGNEE and will continue to represent only ASSIGNEE with respect to this invention.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned signature(s).

Date 10th April 2001 Signature of inventor

Date 10th April 2001 Signature of inventor

Date \_\_\_\_\_ Signature of inventor

Witnessed by: D. J. Singh

Witnessed by: PK

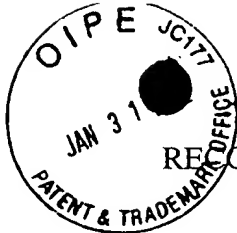
Witnessed by: \_\_\_\_\_

Richard Wyatt  
Robert M. Percival

Date 10th April 2001

Date 10th April 2001

Date \_\_\_\_\_



RECORDATION FORM COVER SHEET

U.S. Department of Commerce  
Patent and Trademark Office

PATENTS ONLY

Our Ref.: 36-1567

Commissioner of Patents and Trademarks  
Box Assignment, Washington, D.C. 20231

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Richard WYATT  
Robert M. PERCIVAL

2. Name and address of receiving party(ies):

Name: BRITISH TELECOMMUNICATIONS a public  
limited company

Internal Address:

Street Address: 81 Newgate Street

City: London

State/Country: England

Zip: EC1A 7AJ

Additional name/s of conveying party/ies attached? ☐

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Assignment ☐ Change of Name  
☐ Other

Execution Date: April 10, 2001

Additional name/s & address/es attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s).

- (1) 09/805,377  
(2)  
(3)

B. Patent No(s).

- (1)  
(2)  
(3)

Additional numbers attached ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Larry S. Nixon

Internal Address:

Street Address: Nixon & Vanderhye P.C.

1100 North Glebe Road

8<sup>th</sup> Floor

City: Arlington State: VA Zip: 22201

6. Total number of applications & patents involved: 1

7. Total fee (37 CFR 3.41)

\$ 40.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account #14-1140

8. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper thereafter filed in this application by this firm) to our **Account No. 14-1140**.

DO NOT USE THIS SPACE

9. Statements and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Larry S. Nixon

Name of Person Signing  
Reg. No. 25,640

*Larry S. Nixon*  
Signature

January 31, 2002

Date

Total number of pages including original cover sheet, attachments, and document: [2]